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Client/Matter/Tkpr:	050229-0377-06740	Original to Follow by Mail:	No
		Number of Pages, Including Cover:	5
Re:	Application No.: 10/622,774		

Message:

We received a telephone call on Friday, September 15, 2006 informing us that the USPTO did not receive a response to the restriction requirement in the above-mentioned case on the due date of April 14, 2006. We have attached a copy of the response to the restriction requirement filed on April 14, 2006 along with a copy of our return receipt card indicating that the response was indeed filed on the due date.

If you have any questions or comments, please do not hesitate to contact us.

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U.S. practice conducted through McDermott Will & Emery LLP.
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SEP 18 2006

Docket No.: 050229-0377

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
David HILDEBRAND, et al.	:	Confirmation Number: 4235
Application No.: 10/622,774	:	Group Art Unit: 1638
Filed: July 21, 2003	:	Examiner: Vinod KUMAR
For: RECOMBINANT STOKESIA EPOXYGENASE GENE	:	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action of March 14, 2006, in the above-identified application. Restriction is now required between the invention identified as those of Groups I and II:

- | | |
|-----------------|--|
| Group I | Claims 1-14, drawn to an isolated nucleic acid molecule encoding a delta 12-fatty acid epoxygenase enzyme, a chimeric gene, the chimeric construct, a vector, a host cell or a transgenic plant comprising said nucleic acid, classified in class 536, subclass 23.1, for example. |
| Group II | Claims 15-19, drawn to a method for producing delta-12 epoxy fatty acids, or wherein method comprises transforming microbial or a plant cell with chimeric gene encoding delta-12 epoxy fatty acid epoxygenase enzyme, classified in class 800, subclass 281, for example. |

In response to this requirement, Applicants elects with traverse the invention of Group I, directed to claims 1-14, for prosecution in the above-identified application. To review Groups I and II together is not a unreasonable burden on the Examiner, because the Examiner must search the vector, the isolated nucleic acid molecule encoding a delta 12-fatty acid epoxygenase enzyme, the chimeric gene, and the chimeric construct for both groups.

WDC99 1222138-1.050229.0377

10/622,774

Applicant explicitly reserves the right to pursue the remaining claims in divisional applications.

It is believed that the above represents a complete response to the Official Action and reconsideration is now in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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Date: April 14, 2006

Please recognize our Customer No. 20277
as our correspondence address.

Applicant: <u>David HILDEBRAND, et al.</u>		Docket No. <u>050229-0377</u>	Serial No. <u>10/622,774</u>						
Title: <u>RECOMBINANT STOKESIA EPOXYGENASE GENE</u>		Patent No. _____							
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<input type="checkbox"/> Claim for Convention Priority									
<input checked="" type="checkbox"/> Response/Amendment to Office Action of <u>03/14/2006</u>									
<input type="checkbox"/> Request for _____ month Extension of Time									

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THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

